

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§
§
§
§
§

v.

CAUSE NO. 4:20-CR-107

ANITA MOODY

FACTUAL BASIS

The defendant, **Anita Moody**, hereby stipulates and agrees that at all times relevant to the Information the following facts were true, agrees that such admissions may be used by the Court in support of her plea of guilty to Counts One and Two of the Information alleging violations of 18 U.S.C. §1349 (conspiracy to commit bank fraud), and 18 U.S.C §844(f)(1) (Arson); to which charges she knowingly and voluntarily affirms her guilt and agrees that, had this matter proceeded to trial the Government, through the testimony of witnesses and other admissible evidence, would have proven beyond a reasonable doubt each and every essential element of the offenses alleged in the Information, specifically including the following stipulated facts.

1. **Anita Moody** is the same person charged in the Information and is entering a plea of guilty to both counts in the Information.

2. The events described in the Information occurred in Cooper, Texas, in the Eastern District of Texas and elsewhere.

3. Beginning in or about 2009, and continuing thereafter up through and including May 11, 2019, while serving as the president, chief executive officer, and director of Enloe State Bank, a federally insured bank whose deposits were then insured by the Federal Deposit Insurance Corporation, with the intent to defraud Enloe State Bank, **Anita Moody** willfully

misapplied the sum of \$11,136,241.82 belonging and entrusted to the custody and control of Enloe State Bank.

4. More specifically, while serving as President of Enloe State Bank, **Anita Moody** created more than one hundred (100) fraudulent loans on the Enloe State Bank's books and worked to actively conceal such loans from regulators.

5. During the course of the conspiracy, **Anita Moody** participated in the following actions, among others:

- a. \$568,798.16 fictitious loan proceeds were deposited into Highway 24 Lumber checking account #1235923 between 3/14/2018 and 4/12/2019.
- b. \$108,200.00 fictitious loan proceeds were deposited into C. M.'s checking account #1211040 between 1/31/2019 and 4/12/2019.
- c. \$537,520.97 was withdrawn from CD #5014153 and CD #5014987 to pay off a nominee loan which funded other accounts including DDA accounts #1235923 and #1235591.
- d. \$165,031.24 was withdrawn from CD #5014153 through DDA# 00001259847 on 4/9/2018 to pay off nominee loan #000007005227.
- e. \$62,284.59 was withdrawn from checking account #1173874 on 5/9/2019, \$45,284.59 of which was used to pay off loan #7005606-185 and \$17,000 of which was deposited into C.M.'s checking account #1211040.
- f. \$225,814.15 nominee loan #000007006094-10 proceeds were used to pay off two loans to **Anita Moody**: loan #000007005035-110 for \$91,024.97 and loan #000007005035-115 for \$134,789.18.
- g. \$109,700.82 nominee loan #000007006094-10 proceeds were used to pay off loan #00000700624-84 to Anita Moody's daughter.
- h. a 2018 silver Jeep Wrangler Sahara, License No. LVY1829, was purchased by **Anita Moody** on March 28, 2019 with a \$51,388.99 cashier's check from Enloe State Bank.

6. Based on these actions, among others, **Anita Moody** caused the Enloe State Bank losses of \$11,136,241.82. **Anita Moody** and her close friends and family members personally benefitted from these fraudulent loans.

7. The fraudulent loans created by **Anita Moody** were obtained in specific customer names and amounts identified in the following table:

FRAUDULENT LOANS		
	CUSTOMER INITIALS	LOSS AMOUNT
1	M.A.	\$111,401.56
2	A.M.	\$116,579.11
3	M.A.	\$110,000.00
4	C.A.	\$95,082.00
5	J.A.	\$98,716.35
6	C.A.	\$116,472.12
7	C.A.	\$122,098.11
8	H.B.	\$91,821.36
9	M.B.	\$121,632.00
10	H.B.	\$101,973.00
11	J.B.	\$97,223.00
12	L.B.	\$126,327.00
13	T.B.	\$127,500.00
14	M.B.	\$132,945.40
15	J.B.	\$99,606.03
16	B.D.A. Enterprise,LLC	\$124,900.00
17	BMG AG SERVICE	\$216,750.00

FRAUDULENT LOANS		
	CUSTOMER INITIALS	LOSS AMOUNT
18	C.B.	\$127,000.03
19	E.B.	\$122,086.90
20	S.B.	\$36,384.24
21	C.C.	\$110,00.00
22	J.C.	\$128,000.00
23	C.C.	\$72,750.00
24	R.C.	\$85,000.00
25	C.C.	\$114,957.80
26	B.C.	\$113,748.00
27	C.W.	132,000.00
28	C.L.	76,339.72
29	C.C.	\$86,500.00
30	C.M.	\$123,922.02
31	D.C.	\$72,000.00
32	D.H.	\$63,455.94
33	K.D.	\$136,252.00
34	C.D.	\$114,000.00
35	M.D.	\$116,000.00
36	A.E.	\$110,000.00
37	A.E.	\$112,407.13
38	E.W.	\$116,050.34
39	B.E.	\$104,300.00
40	S.F.	\$120,000.00
41	H.F.	\$68,000.00
42	A.F.	\$127,000.00
43	C.F.	\$140,000.00
44	D.F.	\$83,553.89
45	T.F.	\$94,700.00
46	J.G.	\$81,089.91
47	G.L.	\$111,500.00
48	T.G.	\$116,000.00
49	D.G.	\$115,000.00
50	M.G.	\$117,000.00
51	C.G.	\$118,000.00
52	L.G.	\$92,528.79
53	W.G.	\$83,702.86
54	W.G.	\$73,000.00
55	J.G.	\$35,000.00

FRAUDULENT LOANS		
	CUSTOMER INITIALS	LOSS AMOUNT
56	C.H.	\$127,792.07
57	L.H.	\$105,000.00
58	H.W.	\$116,826.25
59	E.H.	\$85,000.00
60	L.H.	\$113,622.53
61	B.H.	\$272,000.00
62	R.I.	\$142,000.00
63	J & R Equipment Sales	\$131,000.00
64	J.N.	\$98,470.16
65	J.S.	\$102,995.13
66	J.T.	\$107,583.17
67	T.K.	\$100,936.45
68	M.L.	\$91,000.00
69	F.L.	\$72,956.00
70	M.W.	\$87,292.43
71	A.M.	\$95,613.96
72	C.M.	\$25,978.26
73	J.M.	\$107,419.67
74	C.M.	\$73,279.09
75	J.M.	\$112,000.00
78	J.M.	\$97,423.00
79	L.M.	\$122,554.29
80	J.N.	\$93,914.98
81	R.N.	\$108,923.71
82	J.N.	\$320,964.22
83	C.O.	\$119,817.10
84	R.P.	\$115,000.00
85	D.P.	\$81,000.00
86	R.P.	\$96,750.00
87	A.P.	\$55,000.00
88	M.P.	\$89,917.22
89	L.P.	\$32,788.34
90	J.R.	\$74,602.02
91	T.R.	\$117,840.02
92	J.R.	\$104,550.00
93	G.R.	\$28,807.03
94	H.R.	\$63,209.12
95	S.R.	\$74,482.35

FRAUDULENT LOANS		
	CUSTOMER INITIALS	LOSS AMOUNT
96	S.G.	\$125,536.29
97	S.P.	\$85,900.00
98	J.S.	\$102,000.00
99	B.S.	\$85,000.00
100	J.S.	\$109,432.32
101	D.S.	\$76,500.00
102	C.S.	\$72,233.82
103	J.S.	\$69,260.65
104	J.T.	\$75,000.00
105	J.U.	\$67,438.46
106	J.V.	\$79,084.89
107	M.V.	\$123,540.21
108	J.W.	\$73,000.00
109	T.W.	\$72,000.00
110	K.W.	\$93,750.00
	TOTAL	\$11,136,241.82

8. On May 11, 2019, in an attempt to conceal her fraudulent loan activity, **Anita Moody** maliciously damaged and attempted to damage or destroy Enloe State Bank by setting a conference room table in the bank's Board Room on fire. Several loan files on the conference room table were destroyed in the fire.

9. I acknowledge that as a result of my above criminal conduct, I fraudulently obtained \$11,136,241.82 from Enloe State Bank and I consent to entry of a court order requiring me to pay that amount in restitution.

DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT

10. I have read this Factual Basis and the Information and have discussed them with my attorney. I fully understand the contents of these documents, agree without reservation that they accurately describe the events and my acts, and have signed them knowingly and voluntarily.

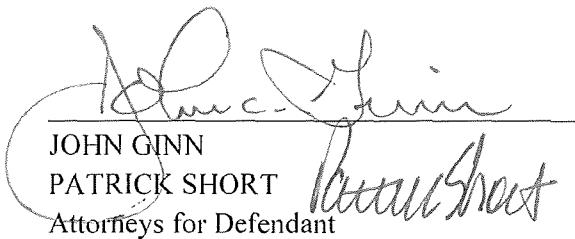
Dated: 2-11-2020


ANITA MOODY
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGMENT

11. I have read this Factual Basis and the Information and have reviewed them with my client, **Anita Moody**. Based upon my discussions with the defendant, I am satisfied that the defendant understands both documents and is knowingly and voluntarily agreeing to the above stipulated facts.

Dated: 2-11-2020


JOHN GINN
PATRICK SHORT
Attorneys for Defendant